

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GILEAD SCIENCES, INC., GILEAD
SCIENCES IRELAND UC, and GILEAD
SCIENCES, LLC,

Plaintiffs,

v.

SAFE CHAIN SOLUTIONS, LLC, et al.,

Defendants.

Case No. 21-cv-4106 (AMD) (RER)

**MOTION TO BE RELIEVED
AND WITHDRAW AS COUNSEL
FOR DEFENDANTS II, INC. d/b/a
TOTAL REMEDY AND
PRESCRIPTION CENTER
AND MOHAMMED ETIMINAN**

Trenk Isabel Siddiqi & Shahdanian P.C. (“TISS”), attorneys for defendants Everything Pharmacy Related II, Inc. d/b/a Total Remedy and Prescription Center and Mohammad Etminan (the “Total Remedy Defendants”), pursuant to Local Civil Rule 1.4 of the United States District Court for the Eastern District of New York, hereby petitions this Honorable Court for TISS and all counsel employed with TISS for leave to withdraw and be relieved as counsel in the above-captioned action on behalf of the Total Remedy Defendants and that all attorneys affiliated with TISS are removed as attorneys of record for the Total Remedy Defendants and that all TISS attorneys of record be removed from the Court’s CM/ECF system. In support of this Motion to be Relieved and Withdraw as Counsel (the “Motion”), the undersigned states the following:

1. On September 16, 2022, TISS appeared in this action on behalf of the Total Remedy Defendants by filing an Answer [ECF 768] to the Fourth Amended Complaint.

2. During TISS’ representation of the Total Remedy Defendants, irreconcilable differences arose between TISS and the Total Remedy Defendants. Furthermore, the Total

Remedy Defendants have failed to pay TISS for legal services rendered by TISS on behalf of the Total Remedy Defendants.

3. The Total Remedy Defendants are on notice that we are seeking to withdraw as counsel. We understand that they have spoken to other attorneys about representing them in this matter; however, have not been advised that they have retained replacement counsel. Contemporaneously with the filing of this Motion, copies of all filings pertaining to this Motion have been sent to the Total Remedy Defendants.

4. The attorneys of record in that matter for the Total Remedy Defendants are as follows, and each should be removed from this Court's CM/ECF system relating to this matter upon the Court's granting of this Motion:

- a. Richard D. Trenk, Esq.
- b. Sydney J. Darling, Esq.

5. TISS is not asserting and does not intend to assert a retaining or a charging lien relating to TISS' representation of the Total Remedy Defendant in this matter.

6. Granting the relief requested will not prejudice the Total Remedy Defendants at this stage of the case and prosecution of the lawsuit will not be disrupted. An answer has been filed and discovery exchanged. Discovery does not close until the end of the year. There is a potential pending motion by co-defendant Safe Chain Solutions, LLC, which is the subject of a pre-motion conference on May 24, 2023.

Wherefore, TISS respectfully requests that this Motion be granted and that TISS be relieved as counsel for the Total Remedy Defendants and allowed to withdraw as counsel, and for such other and further relief that this Court deems just and right.

Respectfully submitted,

**TRENK ISABEL SIDDIQI &
SHAHDANIAN P.C.**

290 W. Mt. Pleasant Ave., Suite 2370

Livingston, New Jersey 07039

(973) 533-1000

Richard D. Trenk, Esq.

Sydney J. Darling, Esq.

*Attorneys for Defendants Everything Pharmacy
Related II, Inc. d/b/a Total Remedy and
Prescription Center and Mohammad Etminan*

Dated: April 25, 2023

By: /s/ Sydney J. Darling
Sydney J. Darling

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2023, I served the foregoing upon all counsel of record by causing it to be filed via ECF:

GEOFFREY POTTER
ARON FISCHER
A. ROBERT QUIRK
ANDREW I. HADDAD
MEGHA HOON
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Tel: (212) 336-2000
Fax: (212) 336-2222

Attorneys for Plaintiffs, Janssen Sciences Ireland Unlimited Company, Janssen Products, L.P. and Johnson & Johnson

LOUIS A. CRACO, JR.
ALLEGAERT BERGER & VOGEL LLP
111 Broadway, 20th Floor
New York, NY 10006
Tel: (212) 571-0550
lcraco@abv.com

Attorney for Defendants Ascan Pharmaceutical, Inc. and Francis L. Fata

GREGORY EVERTS
RYAN D. RAINEY
RYAN L. TORRES
QUARLES & BRADY LLP
33 E. Main Street, Suite 900
Madison, WI 53703
Tel: (608) 283-2460
gregory.everts@quarles.com
ryan.rainey@quarles.com
ryan.torres@quarles.com

Attorneys for Defendants ProPharma Distribution LLC and Levi Ellis

STEVE ZISSOU
STEVE ZISSOU & ASSOCIATES
42-20 Bell Blvd., Suite 302
Bayside, NY 11361
Tel: (718) 279-4500
stevezissou@stevezissouesq.com

Attorneys for Defendants I Care Pharmacy 14, Inc. and Edward Gendin

RICHARD S. SCHURIN
STEVEN STURN
MOSHE ALLWEISS
STERN & SCHURIN LLP
595 Stewart Avenue, Suite 510
Garden City, NY 11530
Tel: (516) 248-0300
rschurin@sternschurin.com
sstern@sternschurin.com
mallweiss@sternschurin.com

Attorneys for Defendants Scripts Wholesale Inc. and Steven Diamantstein

JASON M. DRANGEL
ASHLY E. SANDS
DANIELLE FUTTERMAN
60 East 42nd Street, Suite 1250
New York, NY 10165
Tel: (212) 292-5390
jdrangel@ipcounselors.com
asands@ipcounselors.com
duffterman@ipcounselors.com

Attorneys for Defendants TLC Xpress Pharmacy Inc., d/b/a TLC Xpress Pharmacy and Kevin Nnathuy Quang Tran

and

Attorneys for SRX Specialty Care Pharmacy and Aman Deep Singh

I further served a copy of the within motion on defendants Everything Pharmacy Related II, Inc. d/b/a Total Remedy and Prescription Center and Mohammad Etminan via electronic mail at and regular, first-class mail at the following address:

4859 West Slauson Avenue, #266
Los Angeles, CA 90056
mohammadet@yahoo.com

/s/ Sydney J. Darling